

Public Law 95-336
95th Congress

An Act

To amend the Alcohol and Drug Abuse Education Act to extend the authorizations and appropriations for carrying out the provisions of such Act, and for other purposes.

Aug. 4, 1978
[H.R. 10569]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alcohol and Drug Abuse Education Amendments of 1978".

Alcohol and Drug
Abuse Education
Amendments of
1978.
21 USC 1001
note.

SEC. 2. Section 2(b) of the Alcohol and Drug Abuse Education Act (21 U.S.C. 1001(b)) is amended—

(1) by inserting after "encourage" the following: "the prevention of alcohol and drug abuse; to stimulate";

(2) by striking out "curricula on" and inserting in lieu thereof "approaches to";

(3) by striking out "problems of" the first time it appears therein and inserting in lieu thereof "prevention of alcohol and";

(4) by striking out "curricula" the second time it appears therein and inserting in lieu thereof "approaches";

(5) by striking out "curricular materials" and inserting in lieu thereof "successful approaches"; and

(6) by striking out "on drug abuse problems", and inserting in lieu thereof "on alcohol and drug abuse problems".

SEC. 3. (a) (1) Section 3(a) of the Alcohol and Drug Abuse Education Act (21 U.S.C. 1002(a)) is amended—

(A) by inserting after "carry out" a comma and the following: "throughout the Nation in rural areas as well as urban areas,";

(B) by striking out "projects" the first time it appears therein and inserting in lieu thereof "programs, including programs of proven effectiveness";

(C) by striking out "projects throughout the Nation" and inserting in lieu thereof "programs to develop local capability to meet problems of alcohol and drug abuse"; and

(D) by inserting at the end thereof the following new sentence: "The Commissioner shall seek equitable distribution of available resources among the various regions of the country and seek to ensure that the special needs of rural areas are appropriately addressed."

(2) Section 3(b) (5) of such Act is amended by inserting "prevention" after "abuse".

(b) Section 3(d) (1) of the Alcohol and Drug Abuse Education Act (21 U.S.C. 1002(d)) is amended—

(1) by striking out "and" at the end of clause (C);

(2) by striking the period at the end of clause (D) and inserting in lieu thereof a semicolon and the word "and"; and

(3) by adding at the end thereof the following new clauses:

"(E) provides assurance that the applicant will coordinate its efforts with the appropriate State and local alcohol and drug abuse agencies, and educational agencies and organizations; and

“(F) provides a proposed performance standard to measure, or research procedure to determine, the effectiveness of the program or project for which assistance is sought.”.

21 USC 1002.

(c) Section 3(e) (2) of such Act is amended by striking out “Labor and Public Welfare” and inserting in lieu thereof “Human Resources”.

SEC. 4. (a) Section 3 of the Alcohol and Drug Abuse Education Act (21 U.S.C. 1002) is amended by redesignating subsection (d) through (f) as subsections (g) through (i), respectively, and by inserting after subsection (c) the following new subsections:

Grants.

“(d) In addition to the purposes described in subsections (b) and (c), from funds in an amount not to exceed 10 per centum of the sums appropriated to carry out this Act, the Commissioner is authorized to make grants to State educational agencies, local educational agencies, institutions of postsecondary education, and other nonprofit agencies and organizations to support projects, including projects of proven effectiveness, to demonstrate the most effective methods and techniques in alcohol and drug abuse prevention, and to develop exemplary alcohol and drug abuse prevention programs. To maximum extent practicable, funds expended under this subsection shall be used for grants and programs reflecting various services to individuals proportionate to relative numbers of individuals served within and outside of standard metropolitan statistical areas.

Office of Alcohol
and Drug Abuse
Education.
Establishment.

“(e) (1) In order to carry out the provisions of this Act, there is established in the Office of Education an Office of Alcohol and Drug Abuse Education (hereafter in this section referred to as the ‘Office’). The Office shall be headed by a Director.

“(2) The Director shall report directly to the Commissioner.

“(3) The Office of Education shall provide the Office of Alcohol and Drug Abuse Education with sufficient staff and resources to carry out its responsibilities under this Act.

“(4) In carrying out the provisions of this Act, the Director of such Office shall consult with the Directors of the National Institute on Alcohol Abuse and Alcoholism and the National Institute on Drug Abuse, and shall coordinate the activities of such Office with the activities of such Institutes to the extent feasible.

“(f) The Secretary shall assure cooperation and coordination between the Office of Education (acting through the Office of Alcohol and Drug Abuse Education) and the Alcohol, Drug Abuse, and Mental Health Administration (acting through the National Institute on Alcohol Abuse and Alcoholism and the National Institute on Drug Abuse) to identify and implement successful prevention programs and strategies, to identify research and development priorities, and to disseminate the results of such activities. The Secretary shall further assure that all such prevention programs and strategies which are school-based (assisted or conducted by the Department of Health, Education, and Welfare) shall, to the extent feasible, be coordinated through the Office of Education (acting through the Office of Alcohol and Drug Abuse Education).”.

21 USC 1002.

(b) Section 3(h) (1) of such Act (as redesignated by subsection (a)) is amended—

(1) by striking out “may” and inserting in lieu thereof “shall”; and

(2) by striking out “not exceeding 1 per centum” and inserting in lieu thereof “of 3 per centum”.

(c) (1) The first sentence of section 3(i) (as redesignated by subsection (a)) is amended by striking out “and”, and by inserting before the period at the end thereof a comma and the following: “\$10,000,000

Supra.

for the fiscal year 1979; \$14,000,000 for the fiscal year 1980; and \$18,000,000 for the fiscal year 1981”.

(2) Subsection 3(i) of such Act (as redesignated by subsection (a)) is amended by inserting “(1)” after the subsection designation and by adding at the end thereof the following new paragraphs:

Ante, p. 452.

“(2) To the maximum extent practicable, of the amount appropriated in any fiscal year under this subsection, sums shall be allotted for alcohol and drug abuse education projects reflecting various services to individuals proportionate to relative numbers of individuals served within and outside of standard metropolitan statistical areas.

“(3) Funds appropriated under this subsection shall remain available for obligation through fiscal year 1981 in order to permit multiple year funding of projects under this Act.”

Funds,
availability.

SEC. 5. Section 8(c) of the Alcohol and Drug Abuse Education Act (21 U.S.C. 1007(c)) is amended by inserting “the Northern Mariana Islands,” immediately after “the Virgin Islands.”

SEC. 6. (a) Section 420(a) of the Higher Education Act of 1965 is amended by adding after paragraph (3) the following new paragraph:

20 USC
1070e-1.

“(4) With respect to any academic year beginning on or after July 1, 1978, and ending on or before September 30, 1980, each institution which has qualified for payment under this section for the preceding year shall be entitled during such period, notwithstanding the provisions of paragraph (1) (A), to a payment under this section if—

“(A) the number of persons referred to in paragraph (1) equals at least the number which bears the same ratio to the number of such recipients who were in attendance at such institution during the first academic year in which the institution was entitled to payments under this section as the number of such recipients in all institutions of higher education during the academic year for which the determination is made bears to the number of such recipients in all institutions of higher education for the first such academic year; or

“(B) in the event that clause (A) of this paragraph is not satisfied, the Commissioner determines, on the basis of evidence presented by such institution, that such institution is making reasonable efforts, taking into consideration the extent to which the number of persons referred to in such paragraph (1) falls short of meeting the ratio criterion set forth in such clause (A), to continue to recruit, enroll, and provide necessary services to veterans.”

(b) Clause (1) of section 310(b) of the GI Bill Improvement Act of 1977 (91 Stat. 1446) is amended by inserting at the end of subsection (a) of the new section 246, which was conditionally added to title 38, United States Code, by such clause, a new paragraph as follows:

38 USC 246.

“(3) With respect to any academic year beginning on or after July 1, 1978, and ending on or before September 30, 1980, each institution which has qualified for payment under this section for the preceding year shall be entitled during such period, notwithstanding the provisions of paragraph (1) (A), to a payment under this section if—

“(A) the number of persons referred to in paragraph (1) equals at least the number which bears the same ratio to the number of such recipients who were in attendance at such institution during the first academic year in which the institu-

tion was entitled to payments under this section as the number of such recipients in all institutions of higher learning during the same academic year for which the determination is made bears to the number of such recipients in all institutions of higher learning for the first such academic year; or

“(B) in the event that clause (A) of this paragraph is not satisfied, the Administrator determines, on the basis of evidence presented by such institution, that such institution is making reasonable efforts, taking into consideration the extent to which the number of persons referred to in such paragraph (1) falls short of meeting the ratio criterion set forth in such clause (A), to continue to recruit, enroll, and provide necessary services to veterans.”

Effective date.
20 USC 1070e-1
note.

(c) The amendments made by this section shall be effective with respect to payments to which institutions are entitled as of June 30, 1978.

Approved August 4, 1978.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95-884 (Comm. on Education and Labor).

SENATE REPORT No. 95-819, accompanying S. 2915 (Comm. on Human Resources).

CONGRESSIONAL RECORD, Vol. 124 (1978):

Feb. 21, considered and passed House.

May 23, considered and passed House, amended in lieu of S. 2915.

July 24, House concurred in Senate amendment.